REMARKS

In an Office Action dated January 12, 2007, the Examiner rejected claims 1, 3, 6, 9, 14-19, 21-23, 25 and 28 under 35 U.S.C. 102(e) as anticipated by Catanoso. (US 6,892,388 B1); and rejected claims 4, 5, 10, 13, 20, 24, 26, 27 and 29 under 35 U.S.C. 103(a) as unpatentable over *Catanoso*.

While applicant believes it is unnecessary, applicant has amended independent claims 1, 16 and 25 to make one further clarification of the claims in an attempt to further prosecution herein. Specifically, claims 1, 16 and 25 are amended to recite that each customer occupies only a single event site location of the multiple event site locations. No amendment was made to claim 24, which recites a seat location; inherently, each customer occupies only one seat. As amended the claims are patentable over the cited art.

In the office action, the Examiner repeated the previous rejection made on the basis of *Catanoso*. Applicant addressed the *Catanoso* patent in two previous responses. Applicant's remarks made in those responses are still germane, and are incorporated herein by reference, without necessarily repeating verbatim everything said therein.

The chief point of disagreement between applicant and the Examiner appears to lie in the limitation regarding a "location". In accordance with applicant's invention, a customer of an event has an associated location during the event, as for example a seat. An image capture system (motion video system per claims 1, 16 and 25) automatically captures images of the entire venue within which customers are located and correlates the images with locations within the venue. Thus, souvenir images are potentially available to a large number of people. The customer's

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location is input, and the image or images corresponding to that location are retrieved for display, selection or the like by the customer.

In order to make it practical to retrieve a customized souvenir image from among a large volume of images at low cost, the customer's location is the factor which identifies the relevant images. I.e., applicant's system makes sense only if the location greatly narrows the field of search. Specifically, *each customer has only a single location of multiple locations* (preferably a very large number) within the venue, and thus by inputting the location, a relatively small proportion of the total number of images is retrieved.

Catanoso discloses none of these things. *Catanoso* discloses a system which can capture multiple images for later storage and retrieval, and further discloses that the system may be used for capturing souvenir images, as for example at an amusement park ride. But in this case, the location is not used to select images relevant to a customer from among a large number of images.

The Examiner equates "location" with what is in the picture, and therefore reads the limitations relating to location out of the claims. A careful reading of the claims does not support the Examiner's rejection. E.g., representative claim 1 recites:

1. A method of providing souvenir images to event site customers, comprising:

 capturing motion video data during an event;

 automatically generating a *plurality of images of different event site locations within an event site* from said motion video, wherein each image of said plurality of images is associated with a respective one of said event site locations, *wherein each said event site location is occupied during said event by a respective discrete subset of said event site customers, each said event site customer occupying only a single respective event site location of said different event site locations*;

 receiving, in an automated interactive device, an input from a customer specifying a desired event site location, said receiving step being performed after said step of capturing motion video data;

 responsive to said step of receiving a user input, automatically displaying to the customer in said automated interactive device at least one image associated with the desired event site location; and

 responsive to receiving in said automated interactive device a customer confirmation, automatically providing the at least one image to the customer. [emphasis added]

Claims 13 and 25, while not identical in scope, contain analogous recitations to the italicized above. Claim 24 recites instead a seat location, which is generally narrower.

The "location" recited in the claims is not just a place at which an image is captured. It is something associated with the customer, i.e., something "occupied during said event" by a subset of customers of the event. In the case where the location is a seat (claim 24), the subset is a single customer; in other cases, it may be multiple, although typically a relatively small group of, customers. This is something which is associated with the customer for the duration of the event. I.e., a given customer has only one location. Only when such limitations are understood does it make any sense to receive customer input specifying a location, and to retrieve an image responsive to that input.

If, as the Examiner suggests, the "location" is simply wherever the image was captured, and a customer freely wanders around a venue (as an amusement park) from location to location, then the recited step of specifying a location becomes meaningless.

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The Examiner's reading glosses over the limitation of receiving a location from the customer, saying this is "inherent in that desired images are sold to the customer". Applicant challenges this assertion. There is nothing whatsoever in *Catanoso* to disclose or suggest such a step. A customer who buys an image in the conventional souvenir image forum simply selects the image from among multiple images displayed. I.e., he specifies the image, not the location. To the argument that the image has an associated location, applicant responds that this is true, but that location is not used to select anything. It is simply a property of the image. For all of the above reasons, *Catanoso* does not anticipate the claims.

Nor are the claims obvious over *Catanoso*. *Catanoso* appears to be nothing more than a conventional souvenir image system, in which a degree of digital storage and retrieval is provided. There is nothing to suggest correlating images to locations, the locations having a fixed association to customer subsets, and to retrieve images based thereon. As in conventional practice, *Catanoso* discloses and suggests nothing more than displaying the images to the customer from an electronic storage medium and allowing the customer to purchase them.

Finally, with respect to claim 24, the Examiner makes the point that document readers are well known. Indeed they are, but that misses the point. The document reader is used to automatically select an image based on a seat number, and thus the system of claim 24 enables fully automatically providing personalized images in a large venue (such as a stadium) to multiple customers. The combination of known document reader art and *Catanoso* simply does not teach or suggest the elements of this invention, for none of these things show how to retrieve images by referencing a customer's seat number.

For all of the above reasons, and for the reasons stated in response to previous office actions herein, the claims are neither anticipated by nor obvious over *Catanoso*.

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In view of the foregoing, applicant submits that the claims are now in condition for allowance, and respectfully requests reconsideration and allowance of all claims. In addition, the Examiner is encouraged to contact applicant's attorney by telephone if there are outstanding issues left to be resolved to place this case in condition for allowance.

Respectfully submitted,

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